

**CITY OF MORGAN HILL  
JOINT SPECIAL AND REGULAR REDEVELOPMENT  
AND SPECIAL CITY COUNCIL MEETING  
MINUTES – JULY 23, 2003**

**CALL TO ORDER**

Chairperson/Mayor Kennedy called the special meeting to order at 5:03 p.m.

**ROLL CALL ATTENDANCE**

Present: Agency/Council Members Carr, Chang, Sellers, Tate and Chairperson/Mayor Kennedy

**DECLARATION OF POSTING OF AGENDA**

Agency Secretary/City Clerk Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

***Redevelopment Agency and City Council Action***

**CLOSED SESSIONS:**

Mayor/Chairman Kennedy announced the below listed closed session items.

1.

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant Exposure/Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 4

2.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code 54957

Public Employee Performance Evaluation: City Manager

Attendees: City Council, City Manager

3.

**CONFERENCE WITH LABOR NEGOTIATOR**

Authority: Government Code Section 54957.6

Agency Negotiators: City Manager; City Attorney, Human Resources Director

Employee Organization: Morgan Hill Police Officers Association

4.

**CONFERENCE WITH LABOR NEGOTIATOR**

Authority: Government Code Section 54957.6

Agency Negotiators: City Manager; City Attorney, Human Resources Director

Executive Management Group 1-A

Chief of Police  
Director of Business Assistance & Housing Services  
Director of Community Development  
Director of Finance  
Director of Public Works/City Engineer  
Human Resources Director  
Recreation and Community Services Manager  
Assistant to the City Manager  
Council Services and Records Manager

Middle Management Group 1-B

Police Lieutenant  
Deputy Director of Public Works  
Assistant City Attorney  
Assistant Director of Finance  
Chief Building Official  
Human Resources Supervisor  
Planning Manager  
Senior Civil Engineer  
Senior Project Manager/Community Buildings  
Budget Manager  
Business Assistance and Housing Services Manager  
Police Support Services Supervisor  
Senior Planner  
Project Manager  
Utility Systems Manager  
Recreation Supervisor  
Secretary to the City Manager

Confidential Non-Exempt Employees Group 1-C

Administrative Analyst  
Secretary to the City Attorney  
Accounting Technician  
Human Resources Assistant

**OPPORTUNITY FOR PUBLIC COMMENT**

Chairperson/Mayor Kennedy opened the Closed Session items to public comment. No comments were offered.

**ADJOURN TO CLOSED SESSION**

Chairperson/Mayor Kennedy adjourned the meeting to Closed Session at 5:05 p.m.

**RECONVENE**

Chairperson/Mayor Kennedy reconvened the meeting at 7:00 p.m.

### **CLOSED SESSION ANNOUNCEMENT**

Chairman/Mayor Kennedy announced that no reportable action was taken in closed session. He indicated that the Agency/Council would be reconvening to closed session following the regular open session portion of the meeting.

### **SILENT INVOCATION**

### **PLEDGE OF ALLEGIANCE**

At the invitation of Chairperson/Mayor Kennedy, Walt Glines, Editor of the Morgan Hill Times, led the Pledge of Allegiance.

### **RECOGNITIONS**

Mayor Kennedy presented Government Technician Jacqui Carrasco with a bouquet of flowers, thanking her for her years of service to the City of Morgan Hill. It was noted that her last day with the City of Morgan Hill would be August 1, 2003.

Mayor Kennedy presented a proclamation to Walt Glines and Carol Holzgrafe of the Morgan Hill Times for their outstanding reporting and photography skills. He noted that the Morgan Hill Times was the honored recipient of the following awards: 1<sup>st</sup> place for General Excellence, 1<sup>st</sup> place for Local Spot News, 2<sup>nd</sup> place for Editorial Comments and 2<sup>nd</sup> place for Photo Essay. The Mayor also presented Sara Ruby of the Pinnacles Newspaper with a proclamation for earning 1<sup>st</sup> place in Feature Photos.

Mayor Kennedy indicated that a Certificate of Recognition has been prepared for Jay Baska, City Administrator for the City of Gilroy, upon his 20<sup>th</sup> anniversary for the City of Gilroy. He indicated that he would present the Certificate to Mr. Baska at an upcoming Gilroy City Council meeting.

### **CITY COUNCIL SUBCOMMITTEE REPORTS**

No reports were presented.

### **CITY MANAGER REPORT**

City Manager Tewes mentioned that the State has not yet adopted the state budget. This leaves the fate of City services up in the air. He stated that the failure to adopt the State budget continues to keep city services at risk. He noted that the City was able to adopt its budget and is faced with many of the same challenges the State is in terms of the affect of the economy. The City is still uncertain as to the potential of the State's budget on the City. It is his hope to report at the August 20 meeting that the State budget has been adopted but that he was not confident about this. He addressed the quality and quantity of water. He indicated that staff has been reporting to the community the City's pride in being able to serve water to the community that meets or exceeds all state standards. He noted that the Council has adopted a very conservative approach to water quality and directed staff to conduct monthly tests of all

City wells for the presence of perchlorate. He was pleased to report that all 13 city wells failed to detect perchlorate and that they all came in at the non-detect levels. He stated that there has been some question as to what non-detect levels mean. He indicated that the state has established 4 parts per billion (ppb) as the action level. The State has established the action level at the lowest level for which there is reliable testing. He said that the City is required to test in accordance with protocols and procedures established by the California Department of Health Services. When the City is stating “non-detect,” the City is stating that it is using the protocols adopted by the State, using the procedures that the laboratories certified by the State use. The laboratories reported that all City well testings came in below 4 ppb. With respect to the quantity of water, he has reported the importance of water conservation, especially in the light of the fact that the City has several wells off line due to concern about the presence of perchlorate. He thanked members of the community who have responded to the call for water conservation, indicating that water conservation is now needed more than ever. He indicated that last night, the City went to the lowest level of storage in the City’s reservoir for the entire year. The reservoir fell to a level that is just above the master plan limits of trying to have a 25% water supply in reserve for any given year. He stated that this reserve is important to provide fire flow, protection, and in the event of mechanical or other reasons that any of the city wells go off line. As the City’s reservoir dropped to its lowest level last night, staff has decided to bring on line one of the wells that had been previously off line for a short period of time in order to try to bring the reservoir levels back up. Staff will be bringing on the Nordstrom well for 8-10 hours this evening in order to bring up the reservoir levels. He stated that as part of the Council’s desire to ensure the quality and quantity of water, the Council has directed staff to proceed with the installation of packaged treatment plants on two wells where the City would be treating for the presence of perchlorate. These are the Tennant Avenue and the Nordstrom wells. Over the past couple of days, staff has been working with the City’s supplier to bring the Nordstrom package plant on line and has been tested under the supervision of the Department of Health Services, indicating that 4 of the 10 vessels did not work. These vessels are being replaced. Therefore, the City will be a few days before it can bring this well back on line. He said that the City continues to perform testing of the Tennant well of the water quality as well as the water columns in order to make sure that the City is drawing water from the appropriate aquifers.

#### **CITY ATTORNEY REPORT**

None.

#### **OTHER REPORTS**

None.

#### **PUBLIC COMMENT**

Mayor Kennedy opened the floor to comments for items not appearing on this evening’s agenda. No comments were offered.

### ***Redevelopment Agency Action***

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**CONSENT CALENDAR:**

**Action:**        *On a motion by Agency Member Sellers and seconded by Agency Member Tate, the Agency Board unanimously (5-0) **Approved** Consent Calendar Items 1-3, as follows:*

1.        **PRELIMINARY JUNE 2003 FINANCE & INVESTMENT REPORT**

**Action:** ***Accepted** and **Filed** Report.*

2.        **CONSULTANT AGREEMENT WITH BENCHMARK**

**Action:** ***Authorized** the Executive Director to Execute a Consultant Services Agreement with Benchmark for Fiscal Year 2003-2004 in an Amount Not to Exceed \$402,500, to Provide Project Management Services and Lead Testing for Housing Improvement Programs.*

3.        **REQUEST FOR PROPOSALS FOR THE POLICE BUILDING**

**Action:** ***Authorized** the Executive Director to Issue a Request for Proposal (RFP) to the Three Respondents of the Statements of Interest (SOI) for the Police Facility.*

***City Council Action***

**CONSENT CALENDAR:**

Agency Member Sellers indicated that he would be commenting on consent calendar items 4 and 5 following the approval of the Consent Calendar.

**Action:**        *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0) **Approved** Consent Calendar Items 4-10, as follows:*

4.        **AWARD CONTRACT FOR CONSTRUCTION OF THE MAIN AVENUE/UNION PACIFIC RAILROAD (UPRR) CROSSING IMPROVEMENT PROJECT**

**Action:** *1) **Approved** an Appropriation of \$245,500 from the Current Year Unappropriated Traffic Impact Fee Fund Balance, and \$86,000 from the Water Fund to Complete Funding for this Project; 2) **Awarded** Contract to Stevens Creek Quarry for Construction in the Amount of \$277,109.50; and 3) **Authorized** 5% Construction Contingency Funds, Totaling \$13,855.*

5.        **AWARD CONTRACT FOR CONSTRUCTION OF BUTTERFIELD LINEAR PARK**

**Action:** ***Awarded** Contract to RMT Landscape Contractors, Inc. for the Construction of the Butterfield Linear Park Project in the Amount of \$377,746.56.*

6.        **APPROVAL OF IMPROVEMENT AGREEMENT FOR SINALOA CAFE**

**Action:** *1) **Approved** the Improvement Agreement; and 2) **Authorized** the City Manager to Sign the Agreement on Behalf of the City with Steven J. Pena.*

7.        **FINAL MAP ACCEPTANCE FOR QUAIL CREEK PHASE II (TRACT 9462)**

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**Action:** 1) **Approved** the Final Map, Subdivision Agreement, and Improvement Plans; 2) **Authorized** the City Manager to Sign the Subdivision Improvement Agreement on Behalf of the City; and 3) **Authorized** the Recordation of the Map and the Subdivision Improvement Agreement Following Recordation of the Development Improvement Agreement.

8. **ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR DIGITAL DRIVE**

**Action:** 1) **Adopted** the Resolution No. 5705, Accepting the Subdivision Improvements Commonly Known as Digital Drive; and 2) **Directed** the City Clerk to file a Notice of Completion with the County Recorder's Office.

9. **APPROVAL OF LABOR CONTRACT WITH MORGAN HILL COMMUNITY SERVICE OFFICER ASSOCIATION**

**Action:** **Approved** Two-Year Memorandum of Understanding (MOU) with the Morgan Hill Community Service Officers Association (CSOA).

10. **APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 101**

**Action:** **Approved** Two-Year Memorandum of Understanding with AFSCME Local 101.

Council Member Sellers referred to Consent Calendar Items 4 and 5 relating to the Main Avenue Union Pacific Railroad crossing improvement project and the Butterfield Linear project. He said that these are projects that he and many members of the community have been anxious about. He said that Main Avenue narrows significantly at the railroad crossing due to the lack of improvements. He was pleased to see that the City has an agreement to move forward with the improvements. He stated that the linear park along Butterfield Boulevard appeared bleak and that now that the pipes have been installed; the City will see marked improvements. He was pleased to see the extent of the improvements of the trails and the extensive landscaping. He thanked staff for its hard work on these two projects.

## ***Redevelopment Agency Action***

### **OTHER BUSINESS:**

11. **CHAMBER OF COMMERCE ANNUAL REPORT** (Continued from July 16, 2003)

Director of Business Assistance and Housing Services Toy presented the staff report.

Chairman Kennedy opened the public comment.

Sunday Munnich, Director of the Chamber of Commerce, thanked the City Council and City staff for a great partnership the past year. She indicated that the Chamber Board and Committees felt that a lot has been accomplished. It is felt that the Chamber has a good working relationship with the City and that the Chamber looks forward toward continuing its relationship and the partnerships with the City in the future. She acknowledged Chamber Members in attendance:

Peter Anderson, Tim Hendricks and John Varela, all three serving on the Economic Development Committee (EDC); and Ted Fox, Treasurer of the Board. She indicated that one of the goals for next year is for the Chamber to have more participation and be more visible for the membership, board and committees. She said that this is something that the EDC, the Board and the membership has expressed an interest in doing, including attending more Council meetings, being more visible in the community and being as helpful as possible.

Ms. Minnich highlighted some of the work items accomplished the past year as follows: 1) restructured the EDC and separated it into 2 subcommittees (business attraction and business retention committees); 2) she attended a full day educational conference on economic development through the Chamber of Commerce's Institute Program; 3) a redevelopment of the Chamber's website with a new splash page that includes six links to better promote other entities in Morgan Hill; 4) expanded the economic development section of the Chamber's directory to include 11 pages of economic development to attract businesses into the area; 5) completed a retention survey and conducted a 100% saturation of the businesses in Morgan Hill; 6) partnered with Joyce Maskell and attended workshop on getting the community on track for attracting retail, exhibited at the Monterey International Council of shopping centers trade show and attended the Las Vegas International Council of Shopping Center; 7) held a February South County commercial brokers meeting at the Community Center; 8) planned and held the second Smart Choice event held on May 9 that included approximately 50 attendees which included commercial brokers, developers and site selection professionals as well as professionals in the Morgan Hill area; 9) continue to assist the Downtown Association, noting that she chairs the promotions committee and sits on their board; 10) formed a Tourism Advisory Committee who meets monthly; 11) advertises cooperatively with the Gilroy Visitor's Bureau in the 2002-03 Touring Central California Central Cost Magazine; 12) relocated the Chamber's offices and incorporated a business and visitor center; 13) joined the Silicon Valley Concierge Association and held a joint familiarization trip with Gilroy; 14) participated in a holiday shopping and gift guide program with KSBW during the holidays to help promote shopping in Morgan Hill; 15) developed a gift certificate program to help boost shopping locally; 16) brought the planning of the South County Business Expo back under the planning of the Chamber (the event was held on May 7); 17) put together a women in business advertisement in the San Jose Magazine and contacted local business women owners to participate; 18) partnered with Phil Dean Video Productions to produce a DVD to be played in local hotels on a Morgan Hill Visitors Channel to be up and running within the next week; and 19) partnered with SCORE for business counseling to start up businesses. She thanked the Council for the opportunity to work and partner with the City of Morgan Hill and that the Chamber looks forward to doing so again next year.

Chairman Kennedy indicated that this was excellent report, noting that it has been a very successful year. He stated that the Council appreciates the work that the Chamber performs.

**Action:**        *The Agency Board **Received** Report from the Chamber of Commerce.*

## ***City Council Action***

### **PUBLIC HEARINGS:**

#### **12. ASSESSMENT OF HAZARDOUS VEGETATION MANAGEMENT PROGRAM CHARGES - Resolution Nos. 5706, 5707, & 5708**

Assistant to the City Manager Dile presented the staff report. She informed the Council that Debbie Craver, the Hazardous Vegetation Program Coordinator from the Fire Marshal's Office and she were available to answer any questions that the Council may have on this year's program.

Mayor Kennedy opened the public hearing. No comments being offered, the public hearing was closed.

**Action:** *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council unanimously (5-0) **Adopted** Resolution No. 5706, Ordering the Final Report on the 2003 Hazardous Vegetation Program be Transmitted to the County Assessor's Office and That Liens be Posted against the Properties on the Report, Excluding Situs 1, Situs 26, and Situs 27.*

Mayor Pro Tempore Chang recused herself from item 12b and excused herself from the Council Chambers.

**Action:** *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council, on a 4-0 vote with Mayor Pro Tempore Chang absent, **Adopted** Resolution No. 5707, Ordering the Final Report on the 2003 Hazardous Vegetation Program be Transmitted to the County Assessor's Office and That Liens be Posted against the Properties on the Report, Referring only to Situs 1 and Situs 27.*

Mayor Pro Tempore Chang resumed her seat on the dias.

Mayor Kennedy recused himself from item 12c and excused himself from the Council Chambers.

**Action:** *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council, on a 4-0 vote with Mayor Kennedy absent, **Adopted** Resolution No. 5708, Ordering the Final Report on the 2003 Hazardous Vegetation Program be Transmitted to the County Assessor's Office and That Liens be Posted against the Properties on the Report, Referring only to Situs 26.*

Mayor Kennedy resumed his seat on the dias.

#### **13. REQUEST TO APPROVE THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY ON BEHALF OF THE NEW MORGAN HILL COUNTRY SCHOOL – Resolution No. 5709**



Director of Finance Dilles presented the staff report.

Mayor Kennedy opened the public hearing. No comments being offered, the public hearing was closed.

**Action:**        *On a motion by Council Member Sellers and seconded by Council Member Tate, the City Council unanimously (5-0) **Adopted** the Resolution No. 5709.*

## ***City Council Action***

### **OTHER BUSINESS:**

#### **14.    AMBAG (ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS) REPORT-STRATEGIES FOR INTER-REGIONAL JOBS AND HOUSING BALANCE**

Director of Community Development Bischoff presented the staff report, indicating that AMBAG has sponsored a program entitled Monterey Bay Area Silicon Valley Interregional Partnership which has been established, in part, to look at issues within the region. This region includes Santa Clara, San Benito, Monterey and Santa Cruz Counties and all the cities therein. He informed the Council that City staff has participated in the study and helped to develop the report before the Council this evening. He indicated that the report focuses on interregional jobs/housing balance. This report has been completed as a draft and distributed to all cities within the four counties for review and comment. Once the comments are received from the cities of the four counties, a final report will be prepared and will be considered for adoption in November 2003. He addressed the objectives and strategies at the local, regional and state level, with the idea of trying to improve the balance of jobs and housing throughout the region. He informed the Council that staff has reviewed the report and believe that the report and the objectives are consistent with the City's plans and recommend that the City Council authorize the Mayor to sign the letter of support, mailing it to AMBAG for their consideration. He indicated that Kate McKenna with AMBAG was present to walk the Council through the report and to answer questions the Council may have.

Kate McKenna indicated that the purpose of the study was to support the efforts of the local officials of the four county areas in looking toward the future and seeing where they can work together. She presented a brief introduction about the various phases of the study completed thus far and highlighted the provisions of the draft report that are under consideration by the various jurisdictions. She indicated that an important goal of the study is to specifically work on how the regions can establish a better jobs/housing balance at a county level and at a local jurisdiction/sub area level. She displayed a map that shows future land uses. She addressed growth trends over the next 20 and 25 years as well as some of the limitations/challenges facing the four-county area. The study looked at the effect of the population, jobs, and household increases on commute patterns and compared the year 2000 data base to that of 20 and 25-years out to demonstrate an example of what is expected in the future, including the degree of congested roadways. She addressed the conclusions of the study with respect to growth trends and forecast. She said that overall, it is expected that there will be stable conditions with respect to jobs and housing ratios. Santa Clara County is expected to proportionally add more jobs than households and

that the reverse is expected in the three county Monterey Bay region. She indicated that the highest population and household growth rates are expected to occur in the Monterey Bay Area as well as Gilroy and Morgan Hill areas. Jobs will continue to grow in the existing employment centers. In Santa Clara County, it is expected that housing production rates will remain short in terms of what will be needed with the new jobs that are forecasted while in the Monterey Bay area, the job growth is not keeping up and is not expected to keep up with the high population and household forecast. Therefore, there will be some reverse issues. She indicated that median income in the four counties are not adequate to buy a median priced home and that over time, despite of billions of dollars of planned transportation improvements in the four county areas, traffic congestion is expected to worsen. It is felt that the four counties share the major needs for more housing production and choices as to the types of housing. She indicated that the only good news that can be seen in the forecast was that air quality throughout the area is expected to improve.

Ms. McKenna indicated that the third phase of the study looked at factors (e.g., environmental, fiscal, market place limitations, liability insurance issues, political/land use constraints) that go into making it possible or difficult to improve the balance of jobs and housing. She indicated that the study before the Council looked at the background information pertaining to growth trends looked at the various constraints and opportunities that have been identified over the past year and to see where counties can come together in terms of strategies to make things better. She stated that this was a four step process with the first part including a survey of all planning directors in the approximately 40 jurisdictions that were part of the study area. A search was conducted of role models primarily in California and around the country where regions have come together to deal with these issues. She said that AMBAG is in the phase of requesting local jurisdictions to review and comment on the strategies. The focus of the report, the recommendations and the future discussions by elected officials are intended to be on regional objectives, and to some degree state objectives. She stated that the report is in the midst of undergoing local jurisdiction review of the draft strategies and that Council comments are welcome. Over the next few months, AMBAG will be looking at the comments received and incorporating them, taking the draft strategies report into the final phase of the study, an implementation plan. She stated AMBAG's appreciation of the cooperation and the fine leadership of Mayor Kennedy provided to date.

Mayor Kennedy stated that this study was initiated by San Jose Mayor Ron Gonzales and Marina Mayor Jim Perrine. He said that the committee has been meeting for two years and that the technical advisory committee composed of staff from the various cities has done a great job, noting that the staff of AMBAG has been the primary staff supporting organization to put the study together. He felt that this has been a well worthwhile effort and that it showed good results. He encouraged the Council to continue to support it. He noted a typo on the second to last sentence of the letter to be sent. The sentence should read: "...We believe that a draft report reinforces the City's commitment to achieve its goals of balanced growth."

Mayor Kennedy opened the public comment. No comments were offered.

**Action:** *On a motion by Mayor Pro Tempore Chang and seconded by Council Member Sellers, the City Council unanimously (5-0) **Directed** the sending of a letter in support of the Findings, Objectives, and Strategies of the AMBAG Report, as amended.*

**15. 2003-2004 CITY WORKPLAN**

Assistant to the City Manager Dile presented the staff report.

Mayor Kennedy opened the public comment. No comments were offered.

**Action:** *On a motion by Council Member Carr and seconded by Council Member Sellers, the City Council unanimously (5-0) **Accepted** the 2003-2004 Workplan.*

**16. DISCUSSION OF THE BOARD/COMMISSION APPOINTMENT PROCESS**

Council Member Tate indicated that the Council recently went through an appointment process for the majority of boards and commissions that are appointed by the Council. He said that in almost every instance, the Council chose to reappoint the incumbent commissioners. He said that it seems logical that the Council would do so due to the status of ongoing activities within the City being worked on intensely by the various commissions. He said that efforts that have been started need the continuity of commissioners. He indicated that an exception to the appointment process was to that of the Library Commission where an existing commissioner was not reelected. He said that there was a fall out from this by the Library Commission and in the disappointment of the commissioner that was not reappointed. He said that a lot of issues were raised by the Library Commission in questioning why the commissioner was not reappointed. The Commission does not believe that the Council has been consistent in the appointment process. It is felt that the process changes every time the Council goes through the appointment process. The Library Commission asked if there could be a better expectation of consistency in the appointment process. He recommended that the Council needs to address these kinds of issues. He noted that the City is in the middle of a construction project that will be undertaken in the year for a new library. He felt that the existing commission has been intensely involved in this effort and that there is a lot of continuity that will be lost because an existing commissioner was not reappointed. He clarified that he was not advocating that the Council automatically rubber stamp the reappointment of existing commissioners as the Council has to have the opportunity to be able to replace commissioners when it does not feel that commissioners are not serving to the Council's satisfaction. He stated that it was the strong feeling of the entire Library Commission that the one member that was not reappointed was the most heavily contributing member of the commission. The Library Commission questioned whether the Council understood the contributions of the various commissioners. He felt that all these areas need to be discussed and understood so that the Council could address them and move forward in a positive manner.

Mayor Kennedy stated that he tried to think about a way to conduct interviews differently to avoid the removal of a very active member serving on a commission who has done a lot of work. He did not believe that the Council was aware of the work that the library commissioner who was not appointed was doing. One suggestion offered was for the Council to allow some time delay between the time the Council interviews the candidates and the time that the appointments are made. However, even if the Council had done this in this case, he felt that the Council would likely end up with the same conclusion. He concluded that the Council needs to make it a practice or a common policy that the Council finds out

what committees the incumbent commissioners are working/serving on so that the Council understands this before making appointments. He noted that this question was asked at subsequent interviews. He said that this was his attempt to try to avoid this kind of problem.

Council Member Sellers said that it was his belief that the Council tried to limit the number of appointments that it makes as a full Council. It was his recollection that the Library Commission was one that the Council accepted the recommendation of a Council subcommittee for appointments. He stated that he would feel comfortable having a Council subcommittee making recommendations on appointment for the balance of the commissions and committees other than the Planning Commission and Parks and Recreation Commission as this may be a solution. If the Council is not going to utilize a Council subcommittee interview process, the Council needs to figure out how to get a better handle on individuals serving on the commissions. He said that there is a problem when you have individuals who interview well and individuals who serve as great commissioners. He stated that he would be willing to consider an expansion of the commission for this particular commission. He felt that it would be important for the Council to figure out which commissions and committees can be interviewed by a Council subcommittee with the exception of the Planning Commission and the Parks and Recreation Commission and limit the Council's full interview, accepting the recommendation of the subcommittee.

Council Member Tate felt that it would be good to ask the interviewees to comment on their service through more than just the subcommittees as the specific instance that he is discussing was one that had a very active commissioner who attended conferences and read the City's entire application for the library bond act on her own time. She came back and documented the information gathered at the meetings and conferences for the entire Library Commission. He felt that it goes beyond the subcommittees that the commissioners serve on that the Council needs to inquire about.

Mayor Pro Tempore said that in hind sight, the Council should have asked the Council liaison for its opinion on the appointments. She inquired whether there was anything that the Council can do to change the process such as increasing the number of members to the Library Commission.

Council Member Tate said that he would like to fix the process going forward. He noted that the Council already has a nine-member Library Commission that has been was expanded further and that he would not be averse to expanding the library commission membership further if the Council felt that it was something it should do.

Council Member Carr felt that the Council needs to ask better questions or set aside more time for the interview process. He said that he was at a loss as to how to improve the interview process. He did not believe that the Council should go to a subcommittee format because the Council would lose even more. If the Council elects to go to a subcommittee interview format, he felt that it should be done for all commissions as he did not believe that one commission is more important than another commission. Therefore, it was his recommendation that the entire Council should be interviewing for every commission. He felt that it would be incumbent upon the Council to ask better questions. He noted that the Council receives board and commission agendas and minutes. If the Council does not believe that the minutes are accurately reflecting what is taking place at meetings, the Council could ask that the minutes be expanded so that it can understand better what is taking place at the meetings. He felt that

the Council has been pretty rushed when it has conducted the interview process in the past. The Council has not committed a lot of time to conduct the interviews and get to know the applicants. He recommended that additional time be set aside so that each applicant has enough time to make their case and for the Council to ask questions that it needs answers to. He noted that one of the Council's goals in the past was to set up a forum for commissioners in order to have interactions with commissioners. He felt that the Council needs to be more engaged in these types of activities so that the Council can get to know its boards and commissions. The Council could ask that board and commission members present an annual or semi-annual report before the Council. The boards and commissions could advise the Council as to the activities that they have been involved with. He noted that there are only two commissions in which the Council appoints a liaison: the Parks and Recreation and the Library Commissions. He felt that the Council may need to explore having a Council liaison to all boards and commissions as a way for the Council to get more engaged with its boards and commissions.

Mayor Kennedy noted that Council Member Tate is the Council's appointed delegate to the Library Authority and that it has been a logical connection for him to serve in the liaison role to the Library Commission.

Council Member Sellers said that in the interview process the Council is not afforded the opportunity to interact with boards and commission or to have a discussion. He felt that a Council member could have weighed in on how well the library commission has worked together. He suggested a background check as a way to evaluate individuals on their contributions as incumbents to board/commission prior to taking a vote.

Council Member Carr felt that the Council has a process in place that is un-politicized as it seems to be comfortable for the applicant. He stated that he would hate for the interview process to become a political process and not based on its merit. He said that he has found, in the three years he has served on the Council that it has conducted that he has been able to base his appointment on the written application that has been filled out and the interview process conducted. He said that he has been able to consider other factors in the process. He did not know how the Council would be able to address some of the concerns that Council Member Tate is addressing relating to incumbent candidates in terms of what they bring to the table if more time is added to the interview process so that the applicants are given more time to highlight their activities/accomplishments. He also felt that it was incumbent upon the Council to ask better questions.

Council Member Sellers noted that the Council was quite a way from making any further appointments. He recommended that the Council remember this discussion when it goes through the interview process.

Mayor Kennedy said that another approach would be to ask for a report and recommendation from the Council liaison to boards and commissions going into the interview process. This could be information that could only be helpful.

City Clerk Torrez informed the Council that in December, the Council considers its appointments to outside agencies and committees. She inquired whether it was the Council's direction to include the discussion of appointments of Council liaisons to all boards and commissions at that time.

Council member Sellers felt that the Council needs to look at the full context of exactly how much more a Council liaison would add to the process.

Mayor Kennedy indicated that he would like to discuss this issue in a workshop setting on this point.

**Action:**            **No Action Taken.**

#### **17. ECONOMIC DEVELOPMENT SUBCOMMITTEE ROTATION SCHEDULE**

Council Member Tate indicated that there was an earlier discussion where the Council discussed the rotation of the Economic Development Subcommittee (EDS) position. However, he and Council Member Carr got into the development of the EDS Strategy after this discussion. He said that the current EDS Committee feels some ownership to the strategy and would like to see it implemented. He did not feel comfortable coming off the subcommittee until such time that he feels that the strategy is effective and working. He noted that the City is starting to implement some of the provisions and will be receiving feedback.

Council Member Carr noted that the Council recently approved the strategy and that the City is moving forward with some of the implementations that have taken the Council subcommittee some time to prepare. He felt that the subcommittee would be taking steps backward to bring council members up to speed. He noted that the subcommittee is in the middle of a couple of projects that it is working on. In September, when the Council put this subcommittee together, it was the Council's feeling that this should be a rotating assignment. After serving on the subcommittee for several months, he was not sure that the rotating assignment was the right scenario any more. He felt that this subcommittee should be an appointment similar to other appointments made on yearly bases. Like many other Council appointments, a Council Member develops an expertise serving on a committee. He felt that everyone would need to have a familiarization of the City's budget through the Finance and Audit Committee. He felt that this was a subcommittee that one develops a certain niche and a certain understanding as it moves through the different process. He did not believe that a regular rotation through the Council may be the most appropriate way to do so. He recommended that the Council discuss assignment to this subcommittee annually as it does other committees, having the discussion as to who would be best to serve the City in the different assignments.

Council Member Sellers felt that in order to conduct an economic development subcommittee successfully, it would require continuity for the reasons stated by Council Member Carr. He felt that it would be appropriate to have one of the Council Members currently serving on the subcommittee to rotate off and not both rotate off at the same time. He noted that the Council discusses its annual rotation assignment in order to retain some continuity to subcommittees. He recommended that the rotation of this subcommittee be discussed at the annual discussion of the rotation of assignments and that one member be rotated and not both in order to retain continuity.

Mayor Kennedy stated that he would like to discuss this issue at a future workshop. He said that the Council may wish to rotate from some of the current subcommittees. He felt that there was a balance in

developing an expertise in one area and the desire for all council members to be a part of a certain area. He felt that the way the Council has been handling subcommittees has been working, but that it may be a good time to revisit it and discuss what other cities are doing in terms of what works and what does not work. With respect to this committee, he noted that Council Members Carr and Tate have indicated that they would like to wrap up the economic development strategy. He inquired as to the time frame the subcommittee would like to continue to proceed with the strategy.

Council Member Carr felt that this subcommittee should be placed under the normal process for appointments to subcommittees. He felt that this would give the subcommittee the opportunity to proceed with implementation.

Council Member Tate said that the subcommittee is in the RFP process for the downtown. He indicated that the strategy has been approved by the Council. The subcommittee is working on the actions listed on the various strategy points, taking the first couple of steps to make sure that it is a solid strategy. He felt that this may take up to one year.

Mayor Kennedy supported keeping this subcommittee in place to work on the current strategy and create it as a permanent subcommittee. He noted that each council member has expressed an interest in serving on this subcommittee at some point.

Mayor Pro Tempore Chang indicated that she serves as an alternate to this subcommittee and that once the alternate participates on a particular issue, you have to stay on until the issue is over. Serving as an alternate to the subcommittee gave her a taste of the subcommittee and what it is like. She inquired whether this would be a permanent subcommittee.

Council Member Tate noted that the Council discusses once a year its appointments to various committees. He noted that Council Member Carr suggested that the Council discuss appointments to this subcommittee when the Council reviews its assignments.

Mayor Kennedy requested that at the Council workshop, this area be discussed. In the meantime, the Council can continue on the course that it is on.

**Action:**            **No Action Taken.**

#### **FUTURE COUNCIL-INITIATED AGENDA ITEMS**

No items were identified.

#### **RECONVENE TO CLOSED SESSION**

Chairperson/Mayor Kennedy adjourned the meeting to Closed Session at 8:30 p.m.

#### **RECONVENE**

Chairperson/Mayor Kennedy reconvened the meeting at 9:10 p.m.

**CLOSED SESSION ANNOUNCEMENT**

Chairperson/Mayor Kennedy announced that no reportable action was taken in closed session.

**ADJOURNMENT**

There being no further business, Chairperson/Mayor Kennedy adjourned the meeting at 9:12 p.m.

**MINUTES RECORDED AND PREPARED BY:**

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**IRMA TORREZ, AGENCY SECRETARY/CITY CLERK**